

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

MASSEY COAL SALES COMPANY, INC.,

Plaintiff,

v.

CEDAR BAY GENERATING COMPANY,
LIMITED PARTNERSHIP,

Defendant.

Civil Action Number 3:08cv790

ORDER

This matter is before the Court on the plaintiff's motion for an order compelling arbitration and enjoining contract termination pending arbitration. For the reasons stated from the bench, the Court DENIES the plaintiff's motion and STAYS this matter pending arbitration.¹

It is so ORDERED.

Let the Clerk send a copy of this Order to all counsel of record.

December 19, 2008
DATE

_____/s/
RICHARD L. WILLIAMS
SENIOR UNITED STATES DISTRICT JUDGE

¹As such, the defendant need not file its answer to the plaintiff's complaint until arbitration is concluded.